

**HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**W.P.No.18633 of 2016**

**ORDER**

**This writ petition was filed seeking to declare the order dated 16.5.2016 passed by the 2<sup>nd</sup> respondent, as arbitrary and illegal.**

**The petitioner joined the service of the first respondent-Bank as Customer Service Executive and was posted at Basheerbagh Branch, Hyderabad. He was transferred to IDBI, MSME Branch, Vijayawada, on promotion in 2013. The petitioner was involved in a trap case set up by the CBI and was placed under suspension by orders dated 15.6.2015 and was arrested on 11.6.2015 in relation to the said case. He was in custody for more than 48 hours. Against the order of suspension, he submitted a representation to the second respondent, who passed the initial order of suspension, requesting for revocation under Rule 13 (2) of the IDBI Officers (Discipline & Appeal) Rules, 2006 (for short 'the Rules') and when the same was not considered, he filed WP No.8712 of 2016. This Court by order dated 17.3.2016 disposed of the said writ petition directing the second respondent to pass appropriate orders on the representation of the petitioner dated 29.9.2015**

within a period of four weeks. Thereafter, the second respondent passed the impugned order rejecting the request of the petitioner for revocation of the suspension order. Challenging the initial order of suspension and rejection for his request of revocation of suspension order dated 16.5.2016, the present writ petition is filed by the petitioner.

Counter-affidavit is filed on behalf of the respondents stating that there is a provision for appeal under Rule 17 of the Rules.

In view of availability of alternative remedy of appeal, this Court is not inclined to go into the merits of the case, but liberty is given to the petitioner to exercise the remedy of appeal as provided therein.

Learned counsel for the petitioner fairly accepted for filing an appeal in accordance with the above Rule. Hence, four weeks time is granted to the petitioner from today for filing an appeal under the above Rule and the competent authority of the first respondent Bank shall consider the said appeal and pass appropriate orders thereon within a period of eight weeks from the date of filing of the appeal.

Accordingly, Writ Petition is disposed of. No costs.

**Miscellaneous petitions, if any, pending shall  
stand closed.**

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**JUSTICE A.RAMALINGESWARA RAO**

***23<sup>rd</sup> August, 2016***  
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